

UNITED STATES DISTRICT COURT

Southern

District of

New York

SYNERGETICS USA, INC.,

SUMMONS IN A CIVIL ACTION

V.

ALCON LABORATORIES, INC. and ALCON,
INC.,

CASE NUMBER:

08 CIV 36697

TO: (Name and address of Defendant)

Alcon Laboratories, Inc.
6201 South Freeway,
Fort Worth, TX 76134-2099

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

APR 16 2008

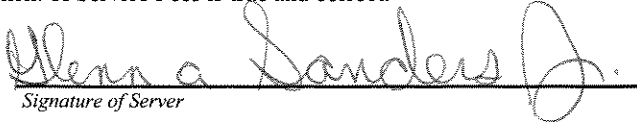
J. MICHAEL McMAHON

CLERK

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	4/24/2008
NAME OF SERVER <i>(PRINT)</i> Glenn Sanders	TITLE Clerk	
<i>Check one box below to indicate appropriate method of service</i>		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: CT Corporation 111 8th Avenue New York, New York , Registered Agent for Alcon Laboratories, INC <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <input type="checkbox"/> Returned unexecuted: <input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 30%;"> <p>Executed on <u>4/25/2008</u></p> <p style="text-align: center;">Date</p> </div> <div style="width: 60%; text-align: center;">  <p>Signature of Server</p> </div> </div> <div style="text-align: center; margin-top: 20px;"> <p><u>112 Madison Ave New york New York 10016</u></p> <p>Address of Server</p> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.